IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**WRIT PETITION NO : 14213 of 2004**

Between:

J. Anuradha, W/o. Sri Jagan, Hindu,
R/o. 1-95, Kuntloor Village, Hayatnagar Mandal,
Ranga Reddy District.

**..... PETITIONER**

AND

1 The Collector (Panchayat Wing), Ranga Reddy District.
2 The State of Andhra Pradesh, rep, by its Secretary to Government, Panchayat Raj and Rural Development (PTS.II) Department, Secretariat Buildings, Hyderabad.
3 The Commissioner, Panchayat Raj and Rural Development,
Andhra Pradesh, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Certiorari calling for records and quash the impugned show cause notice of the 1st respondent in Proc. NO. B2/2639/2001 dated -5-2004 as highly illegal, arbitrary biased and violative of Principles of Natural Justice and to quash the same.

**Counsel for the Petitioner: MR.V.RAJAGOPAL REDDY**

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court made the following:**

**ORAL ORDER:**

Heard both the learned Counsel and at their request the main writ petition itself is taken up for disposal.

The petitioner herein who is a Sarpanch of Kuntloor Gram Panchayat, Hayatnagar Mandal, Ranga Reddy District, filed this writ petition, inter alia, seeking a writ of Certiorari to call for records and to quash the impugned show-cause notice dated May, 2004 issued by the 1st respondent in Proc.No.B2/2639/2001, whereunder the petitioner was called upon to submit her explanation in respect of three charges.

It is the case of the petitioner that she has already filed a detailed explanation on 19-7-2004 denying the said charges and claiming that entire charges are vague and do not have any basis. Further, it is also her case that aggrieved by the proceedings of the 1st respondent dated 18-4-2002, she filed revision petition before the 2nd respondent-Government and the same was disposed of vide proceedings in G.O.Rt.No.1325 Panchayat Raj and Rural Development (PTS.II) Department, dated 6-9-2003, setting aside the entire proceedings therein. She further stated that the present proceedings are totally unsustainable apart from the fact that the same is also barred under the principles of estoppel and res judicata. It is also her case that the allegations made in the earlier charges and also the present one virtually runs on the same lines. Therefore, there could not have been any such fresh charges against her and the entire action is politically motivated.

Having considered the submissions made by either side and also from a perusal of

the material, it is seen that the present writ petition is only at the stage of the show-cause notice, to which the petitioner has filed explanation, which is under consideration before the authorities. In view of the same, it is not necessary to go into the merits of the case. It would be suffice, in the interest of justice, to direct Respondent No.1 herein to pass final orders after taking into consideration the detailed explanation submitted by the petitioner and also the orders passed by the Government in revision petition i.e., in G.O.Rt.No.1325 dated 6-9-2003 vis-à-vis the allegations made at present and also in the earlier proceedings, within a period of one month from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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11-08-2004

**es**/skmr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Collector (Panchayat Wing), Ranga Reddy District.
2 The Secretary to Government, State of Andhra Pradesh, Panchayat Raj and Rural Development (PTS.II) Department, Secretariat Buildings, Hyderabad.
3 The Commissioner, Panchayat Raj and Rural Development, Andhra Pradesh, Hyderabad.

4. 2 CCs to the Government Pleader for Panchayat Raj and Rural Development, High Court Buildings, Hydeabad (OUT).

5. 2 CD copies.